

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,  
  
Plaintiff,

Criminal No. 22-621 (MAS)  
  
Hon. Michael A. Shipp

v.

Katherine Peterson,  
  
Defendant.

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**UNITED STATES' RESPONSE  
TO DEFENDANT'S AUTHENTICITY OBJECTIONS**

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The United States responds to Defendant's objections to the authenticity of five proposed exhibits as follows:

GXs 162 and 163

Government exhibits 162 and 163 (attached as Exhibits A and B, respectively, to this Response) are pictures that were created by Pharmacy Benefit Manager ("PBM") CVS Caremark to support its own efforts to terminate its contract with All American Medical Pharmacy ("AAMP"). AAMP was one of several pharmacies owned and operated as a subsidiary of A1C Holdings, LLC ("A1C"). The pictures included in GX 162 and 163 were produced to defense counsel on October 17, 2019, and were included as a part of a production from CVS Caremark which contained the pictures as part of the "complete audit file and final audit results" concerning AAMP (see CVS Caremark Letter attached as Exhibit C to this Response). Given that the pictures were created by CVS

Caremark in the process of executing one of its business functions, i.e. the performance of audits, the pictures are in no way distinct from other PBM documents to which Defendant does not object.

GX 278

Government exhibit 278 (attached as Exhibit D to this Response) is a group of three photographs taken by U.S. Department of Health and Human Services, Office of Inspector General (“HHS-OIG”) Special Agent Michael Pemberton on January 19, 2017, and attached to a report summarizing an interview with Medicare beneficiary Nasario Bazan and his son, Jose Bazan. The report and images were produced to defense counsel on October 17, 2019. The images depict the package received by the Bazan’s, instructions appearing to be from AAMP, and unopened boxes of Lidocaine ointment. The images will be authenticated through testimony by a law enforcement witness.

GX 280

Government exhibit 280 (attached as Exhibit E to this Response) is Windows Word document that has been edited by an author identified within the document as co-conspirator Steven King. This document was obtained through the image of servers associated with underlying businesses in this case pursuant to a search warrant executed on May 4, 2017. The document was included as part of the electronic search warrant materials produced to defense counsel on February 28, 2020. As this was a business document maintained on business servers, defense counsel does not appear to have an objection to its authenticity.

GX 293

Government exhibit 293 (attached as Exhibit F to this response) is a working document created by A1C Chief Executive Officer James Letko to keep track of bonuses paid to employees. The document was included as part of records turned over to the government by Mr. Letko and produced to defense counsel on July 6, 2023. The authenticity of this document will be established through the testimony of Mr. Letko.

Respectfully submitted,

Dated: May 21, 2024

GLENN S. LEON  
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DUSTIN M. DAVIS  
Chief, Health Care Fraud Unit

DAWN N. ISON  
United States Attorney

s/ Shankar Ramamurthy  
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**CERTIFICATE OF SERVICE**

I certify that on May 21, 2024, I caused the foregoing document to be electronically filed with the Clerk of Court using the ECF system, which will send notification of such filing to counsel for the defendant.

s/ Shankar Ramamurthy

SHANKAR RAMAMURTHY

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